REMARKS

Claims 1-3 are now pending in the application. The Examiner is respectfully requested to reconsider and withdraw the rejection(s) in view of the amendments and remarks contained herein.

REJECTIONS UNDER 35 U.S.C. § 101

Claim 1 is provisionally rejected under 35 U.S.C. § 101 as claiming the same invention as that of claims 1 and 2 of copending Application No. 10/787895. Claim 1 is provisionally rejected under 35 U.S.C. § 101 as claiming the same invention as that of claims 1 and 3 are of copending Application No. 10/508479. These provisional rejections are respectfully traversed.

Double patenting restriction under 35 U.S.C. § 101 requires that the claims be identical in scope. None of the copending claims identified in these rejections are identical in scope. Thus, Claim 1 is not drawn to the "same invention" since it is not drawn to "identical subject matter."

The Examiner has stated that Applicants arguments filed February 16, 2006 have been fully considered but are not persuasive. Specifically, the Examiner's states: "Applicant's argue that the 101 rejection is improper because the claims are not identical. The Examiner disagrees as the patent discloses angles within such claimed angle ranges." [1] Applicants respectfully assert that a double patenting rejection based on 101 is concerned with a comparison of the claims only and whether they are identical in scope. Thus, what the patent additionally discloses is not relevant to the analysis.

[1] Applicants understand "the patent" refers to the copending patent applications cited in the double patenting rejection.

Furthermore, even under a judicially created obviousness-type double patenting rejection and analysis, looking to what the copending applications disclose beyond the claim is only appropriate if that document is prior art. In this case, applicants respectfully assert that neither copending application number 10/787,895, nor copending application 10/508,479 are prior art to the instant application. Thus, Applicants respectfully assert it is improper of the Examiner to look at the disclosure of these copending applications with respect to any double patenting rejection. Accordingly, Applicants respectfully request that these rejections be withdrawn.

REJECTIONS UNDER 35 U.S.C. § 102

Claims 1-3 stand rejected under 35 U.S.C. § 102(b) as being anticipated by JP-2001-75,297. Claims 1-3 stand rejected under 35 U.S.C. § 102(b) as being anticipated by JP-2001-33,990. These rejections are respectfully traversed.

Independent Claim 1 is directed to a process and recites "repeatedly purifying the organic material to remove impurities."

Neither JP 2001-75,297 nor JP 2001-33,990 disclose such a process "repeatedly purifying the organic material to remove impurities." These references, additionally, do not teach or suggest that purification or any other process would enable the claimed range of impedance of the crystalline materials. Accordingly, Applicants respectfully assert that neither JP 2001-75,297 nor JP 2001-33,990 disclose or suggest Applicants' invention as defined by independent Claim 1. Furthermore, since Claims 2 and 3

depend from Claim 1, Applicants respectfully assert they are likewise patentable for at least the reasons discussed above.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

Dated: June 30, 2006

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